

REMARKS

Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the remarks appearing below.

Rejection under 35 U.S.C. § 102(e)

The Examiner has rejected claims 30, 32-35 and 38-50 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,754,833 to Black et al., stating that Black et al. disclose all of the limitations of these claims.

Generally, Applicant respectfully disagrees.

Rejection under 35 U.S.C. § 102

The Examiner has rejected claims 30,32-35 and 38-50 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6, 754,8332003/0046307 to Black, stating that Black discloses a system configured to allow potential customer of distributors having a business affiliation with a parent company to access customized information of distributors using a site-code unique to the distributors (col 8 lines 50-57). More specifically the examiner calls attention to Black providing "links" from a community web site to direct the buyer to a sellers website.

The applicant respectfully disagrees with the examiner.

The applicant knew at the time of the invention knew that the typical way to enter into a website is through "links". The applicant could not solve the problems required using this standard way of linking to a website. Indeed, the applicant tried many ways to make the standard links without site codes work, and each trial ended up in more problems, that then required a novel solution to all the problems at once. The site code restriction in the claims is at the heart of the invention. Prior to this invention, in the applicants business, using Blacks "direct linkage" did not work. It was the development of the applicants method with the site code that allowed the creation and very successful implementation of our business, which remains today.

The examiner further states that the "link" technology is a "superior technology". The applicant does not understand why a *value judgment* of being superior is placed on the type of technology, "links" versus "site codes"? The technology of using site codes was required to solve the problem, the "link" technology could not solve the problems. It shall be shown in the foregoing discussions the problems that needed to be solved and why the site code was novel and required. The applicant wishes to further familiarize the examiner with the applicant's true invention.

The first problem the applicant wanted to solve was to have thousands to hundred of thousands of distributors (sellers) to be able pass to their potential business partners (buyers) to have one do "url" or "link" to get to a generic web site page. This would make it easy for the distributor (sellers) but also easy for the programmer of the "group website" or "parent company" website of claim 30, to have only one url to manage and to hide the sub web pages links (that is not to show other web pages involved). By linking the site code to the "branded banner" data file of a distributor in a table, the programmer need only to manage one "link" but simply have a program that allows the table to be queried to find the right site code, and then provide the matched banner data file on top of the larger non branded boiler plate site. Although it is technologically more complex to manage a database driven database than one that is simply a set of hyperlinks, the solution of site codes was required to manage the number of distributor (sellers).

The second and concurrent problem the applicant wanted to solve was that once that url or "link" page is obtained on the internet, it was required that the potential business partner (buyer) would enter into a site that had (a) 99% generic boiler plate set of pages (of the parent company) with information on the business but have a (b) small 1% unique branded banner of the individual distributor(seller) who provided the potential business partner(buyer) with the "site code". Thus, a site code was more efficient because the generic boiler plate set of pages (of the parent company) could be changed without any impact to the branded banner data of the distributor (seller) and vice versa. In Black, this is certainly not the case, because the parent

company changes could effect the distributors changes and vice versa in terms of "look and feel", color schema, content changes that don't relate, changes in fonts or size, aesthetics, etc. When one portion of the website is designed independent of another, both sites must continually monitor the other to ensure there is integrity between. This leaves to change procedures, guidelines etc, none of which are required in the applicants invention, because there is only needs web site designer.

The third and concurrent problem the applicant wanted to solve was that potential business partner (buyer) would not know that the site they entered into was part of a branded site, that is, unlike Black where the major portion of the web sites was branded, and the distributor(seller) was co-branded, in the applicants invention the major branded "parent" distributor was to be anonymous and that individual distributor(seller) appeared to own the entire web site as their sole web site, thus making the individual distributor(seller) appear larger than they are. This is typical in the applicant industry in network marketing, like Amway or Mary Kay or Shaklee, etc. Providing a link that brought up branded parent web site (that was generic and without brand marks) would not easily work, since the branded parent can easily maintain their main branded site and allow distributors (sellers) co-branded by linking to the parent's branded site. If the parent had to create a web site for each distributor, then the parent company would have to manage a large amount of links and a large volume of redundant pages. If the distributor was to each maintain the parent's web site individually, then the parent company could loose control of their site (that is the distributor (seller) could change content of the parent's company web site without permission) and the distributor (seller) would have to become a web programmer. In Black, the parent company is not anonymous.

The fourth and concurrent problem the applicant wanted to solve was to reduce disk space storage. In the applicant's invention, the "parent" site requires the large portion of the data space. The distributor (sellers) portion is simply the name of the distributors (sellers) business and possibly a logo. In Black, co-branded site, each distributor (seller) would have their individual branding to "distinguish itself from the parent branding to show its brand separate

than the parent. In the applicant's invention, only one brand is shown and thus there is no need to distinguish it from the parents. Because of this, the hundred of thousands of distributors (sellers) would have minimal disk space.

The fifth and concurrent problem the applicant wanted to solve was security of the parent web site. A generic link or even a link that is not generally known can be discovered or passed to other users, and there is little to no knowledge that one is entering the site, unless it is tracked. In Black's invention, links of the parent are found by searching on the internet, as well as links to the distributor can be found on the internet. In the applicant's invention, the site cannot be found directly, since one needs to bypass the security of the site code, which is unknown unless the site code is given, and thus the site code protects the distributor (seller) and protects the parent website. This allows for the distributor to change his code with the parent website manager quickly, without changing any links. In Black, there is no such security.

The sixth and concurrent problem the applicant wanted to solve was managing many links between multiple servers, which becomes problematic for a host of reasons, because links of one web site that link to another web site may not be persistent (they can be changed) and there are at times latency and server dependencies in the chain of servers to get to all the links on multiple servers. Therefore one site calling on a link of another site could run into delays or even crash of the links if not maintained. Using site codes allows for all the web pages to be easily on one website, one server, and eliminates totally the need to pass through multiple sites and eliminates the persistence problem and the dependencies and latencies problem. In Black, both the parent brand and the distributor co-brand links must stay persistent and available.

The seventh and concurrent problem the applicant wanted to solve was to use the computer of the parent to control the business method. In the applicant's invention, the site code request of the new business partner (buyer) would only work if the distributors (seller) site code that he/she gave to the business partner (buyer) was valid with the parent company (anonymously branded). This means the distributor (seller) needs to have a defined relationship

controlled by the parent company (anonymously branded). In Black, this is certainly not the case, as one web site can fit any branded page inside its frame or call a link to another web site without permission.

The eighth and concurrent problem the applicant wanted to solve was to have distributor(sellers) to work with the parent company that had absolutely no knowledge of creating their own web site or pages to link through or attach to. In the applicant's invention, the distributor seller simply pays a fee for a site code and provides basic information in a look up table requested in a paper form. The distributor (seller) can almost instantly have their own (very large web site) without creating any web pages. In Black, this is certainly not the case, since the co-branded web site needs to be developed first.

Since all the other rejected claims depend directly on Claim 30 or are the methods of the system of 30, the applicant respectfully wishes the examiner to provide his opinion of the aforementioned discussion.

For at least the foregoing reasons, the present rejection of claims 30, 32-35 and 38-50 is improper. Therefore, Applicant respectfully requests that the Examiner withdraw this rejection.

Conclusion

In view of the foregoing, Applicant respectfully submits that claims 30, 32-35 and 38-50 are in condition for allowance. Therefore, prompt issuance of a Notice of Allowance is respectfully solicited. If any issues remain, the Examiner is encouraged to call the undersigned attorney at the number listed below.

Respectfully submitted,
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